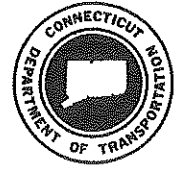


STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION



2800 BERLIN TURNPIKE, P.O. BOX 317546
NEWINGTON, CONNECTICUT 06131-7546

Phone:

(860) 594-2875

DOCKET NO. 2102-N-11-L

RE: APPLICATION OF LENOX LIVERY SERVICE, LLC TO OPERATE
TWO (2) GENERAL LIVERY VEHICLES, WITH A SEATING
CAPACITY OF LESS THAN ELEVEN PASSENGERS, FROM A
HEADQUARTERS IN NEWINGTON.

DECISION

MAY 27, 2021

I. INTRODUCTION

A. APPLICATION

By application filed on February 16, 2021, with the Department of Transportation (hereinafter "department"), pursuant to Section 13b-103 of the Connecticut General Statutes, as amended, Lenox Livery Service, LLC (hereinafter "applicant") with a mailing address of 27 Keeney Avenue, West Hartford, Connecticut 06107 seeks authorization to operate two (2) motor vehicles, having a seating capacity of less than eleven (11) passengers, in general livery service from a headquarters in Newington.

B. HEARING

Pursuant to Connecticut General Statutes Section 13b-103, as amended, a public hearing by telephone was held on this application on May 25, 2021.

Notice of the application and of the hearing to be held thereon was given to the applicant and to such other parties as required pursuant to Connecticut General Statutes Section 13b-103, as amended. Legal notice to the public was given by publication on the department's website.

A hearing officer designated by the Commissioner pursuant to Connecticut General Statutes Section 13b-17 conducted the hearing on this matter.

C. APPEARANCES

Mr. Francis Hursey appeared pro se on behalf of the applicant. The applicant's mailing address is 27 Keeney Avenue, West Hartford, Connecticut 06107.

II. FINDINGS OF FACT

1. The applicant seeks to operate two (2) motor vehicles in general livery service from a headquarters in Newington.
2. The applicant will operate a 2021 Chevy Suburban and a 2013 Lincoln in the livery business.
3. The applicant's first six months of expenses includes insurance costs of \$9,164, maintenance costs of \$1,800, communication costs of \$1,200, advertising costs of \$600, property tax of \$1,575 and communication costs of \$1,200.

4. The applicant has \$182,935 in a business bank account.
5. The applicant has one livery driver and will be hiring an additional driver.
6. The applicant will be operating out of an office building that Mr. Hursey owns in Newington.
7. Mr. Hursey is a successful businessman who owns Onsite Gas Systems which builds oxygen and nitrogen generators. In addition, he is also an inventor.
8. The applicant already has interstate authority by the issuance of Livery Permit Number 3703 which was granted on March 19, 2021. The applicant is currently operating two (2) vehicles in interstate livery service.
9. Since starting in the livery business, the applicant has received approximately twenty (20) requests for intrastate livery service.
10. This application was not opposed.

III. DISCUSSION

The department has jurisdiction over each person, association, limited liability company or corporation owning or operating a motor vehicle in livery service, pursuant to Connecticut General Statutes Section 13b-102, as amended.

In determining whether a livery permit should be granted, the department shall take into consideration the present or future public convenience and necessity. The applicant must prove that the public's convenience and necessity will be improved by the proposed service. Additionally, the applicant must show the suitability of the applicant or the suitability of the management if the applicant is a limited liability company or corporation, the financial responsibility of the applicant, the ability of the applicant efficiently and properly to perform the service for which authority is requested and the fitness, willingness and ability of the applicant to conform to the provisions of the statutes and the requirements and regulations of the department thereunder, in accordance with Connecticut General Statutes Section 13b-103.

Regarding the applicant's suitability, the applicant submitted a criminal record check for Mr. Francis Hursey which disclosed no criminal record. Mr. Hursey has vast business experience in operating his own business. He has partnered with two former employees of Premier Livery who have much livery experience. Based on the evidence presented, the applicant is suitable to conduct the proposed intrastate livery business.

As far as the applicant's financial ability is concerned, the applicant presented evidence

that the first six months of expenses includes insurance costs of \$9,164, maintenance costs of \$1,800, communication costs of \$1,200, advertising costs of \$600, property tax of \$1,575 and communication costs of \$1,200 for a total expense of \$15,539. The applicant has \$182,935 in a bank account to cover these startup expenses and is therefore financially suitable.

On the issue of public convenience and necessity, the applicant has two employees who have a long experience in the livery business and have been able to spread the word about their new service to generate business. Since starting in the livery business, the applicant has received approximately twenty (20) intrastate livery requests. Based on the evidence presented, the applicant will receive authorization for intrastate livery service.

IV. ORDER

Based upon the above and pursuant to Connecticut General Statute Section 13b-103, as amended, the application in the name of Lenox Livery Service, LLC is hereby granted, and Livery Permit Number 3703 is hereby issued as follows:

LIVERY PERMIT NUMBER 3703

Lenox Livery Service, LLC is authorized to operate two (2) motor vehicles in general livery service, with a seating capacity of less than eleven passengers, from a headquarters in Newington.

Lenox Livery Service, LLC is permitted and authorized to operate motor vehicles as a common carrier of passengers, in charter and special operations, in interstate commerce under such authorization as issued or amended by the Federal Motor Carrier Safety Administration in the issuance in the issuance of Certificate Number MC-01194515.

RESTRICTIONS:

The applicant must register and insure the two (2) general livery vehicles granted in this decision within ninety (90) days. Failure to do so may result in revocation of this authority.

The authority granted under this permit may not be sold or transferred until it has been operational, i.e. a vehicle registered with livery plates thereunder for not less than twenty-four (24) months.

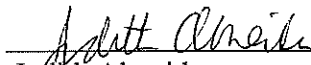
This permit shall remain in effect until it is amended, suspended or revoked by the department. Failure of the permit holder to maintain proper insurance and/or comply with all

pertinent motor vehicle laws and other state statutes and/or rules, regulations and orders of the department shall be considered sufficient cause to amend, suspend or revoke said permit.

A memorandum of this permit, bearing the seal of the department, shall be conspicuously posted in each motor vehicle operated under this permit.

Dated at Newington, Connecticut on the 27th day of May 2021.

CONNECTICUT DEPARTMENT OF TRANSPORTATION



Judith Almeida
Staff Attorney III
Administrative Law Unit
Bureau of Finance and Administration